

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

UNITED STATES OF AMERICA, §

ex rel. ALEX DOE, Relator, §

THE STATE OF TEXAS, §

ex rel. ALEX DOE, Relator, §

THE STATE OF LOUISIANA, §

ex rel. ALEX DOE, Relator, §

Plaintiffs, §

v. §

Civil Action No. 2:21-CV-00022-Z

PLANNED PARENTHOOD §

FEDERATION OF AMERICA, INC., §

PLANNED PARENTHOOD GULF §

COAST, INC., PLANNED §

PARENTHOOD OF GREATER §

TEXAS, INC., PLANNED §

PARENTHOOD SOUTH §

TEXAS, INC., PLANNED §

PARENTHOOD CAMERON §

COUNTY, INC., PLANNED §

PARENTHOOD SAN ANTONIO, §

INC., §

Defendants. §

**RELATOR'S OPPOSITION TO DEFENDANTS' NOTICE REGARDING
RELATOR'S MOTION TO COMPEL**

Relator opposes Defendants' notice and respectfully requests that the Court order briefing to continue on Relator's already pending motion to compel (Dkt. 433), which was filed on February 17, 2023. It is highly prejudicial to Relator if the Court stays briefing on already pending motions which have nothing to do with the

resolution of *U.S. ex rel. Schutte v. SuperValu Inc.*, 9 F. 4th 455 (7th Cir. 2021), *cert granted sub nom. U.S. ex rel. Schutte v. SuperValu, Inc.*, 143 S. Ct. 644 (2023), which was the sole reason for the Court’s stay. The result would be that Defendants now get a months-long extension to respond to a motion that they previously agreed to respond to on an expedited basis, which is grossly unfair to Relator. *Cf.* Dkt. 442 at 3 (granting stay while noting that the Court “doubts that Plaintiffs will suffer significant prejudice”). Conversely, it causes no prejudice whatsoever to Defendants if they are required to respond to this motion (as they should have *by today* according to the briefing schedule they agreed to, *see* Dkt. 434 (noting Defendants’ non-opposition to proposed briefing schedule)).

CONCLUSION

Relator respectfully requests that the Court order Defendants to respond to the Motion to Compel (Dkt. 433).

Respectfully submitted.

/s/ Heather Gebelin Hacker

Heather Gebelin Hacker

Texas Bar No. 24103325

Andrew B. Stephens

Texas Bar No. 24079396

HACKER STEPHENS LLP

108 Wild Basin Road South, Suite 250

Austin, Texas 78746

(512) 399-3022

heather@hackerstephens.com

andrew@hackerstephens.com

Attorneys For Relator

CERTIFICATE OF SERVICE

I hereby certify that on February 24, 2023, this document was electronically filed and served via the Court's CM/ECF system.

/s/ Heather Gebelin Hacker
Heather Gebelin Hacker